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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,627	08/03/2001	Kenji Yoshioka	MAT-8176US	7519

7590

08/26/2004

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EXAMINER

PEACHES, RANDY

ART UNIT

PAPER NUMBER

2686

11

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,627

Applicant(s)

YOSHIOKA ET AL.

Examiner

Randy Peaches

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. ***Claims 1, 10, 15 and 24*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Khawam (U.S. Patent Number 6,678,612 B1) in view of Denekamp et al. (U.S. Patent Number 4,750,197).

Regarding ***claim 1***, Khawam discloses in column 1 lines 45-58 of an emergency notification system, which reads on claimed "emergency informing terminal", where the system is comprised of a mounted mobile transceiver unit (see FIGURE 1) and a fixed monitoring station (see FIGURE 2). The said emergency notification system is used in traumatic events by notifying an emergency station in case of an emergency (see column 1 lines 55-64, comprising:

- a mounted mobile transceiver unit (see FIGURE 1, column 3 lines 14-16, 27-37), and
- a user interface unit (46), connected to the said mobile transceiver unit and incorporated in part of the said mobile transceiver unit. See column 2 lines 10-18.

However, Khawam fails to clearly disclose wherein the terminal main body, as cited by the Applicant, is in a case and where the wiring coupled to the said peripheral device is prevented from extending outside the case.

Denekamp et al discloses in column 5 lines 55-66 and in FIGURE 4, wherein a security module (30) is contained within a tamperproof and fireproof module, which reads on claim "case". Additionally, Denekamp et al. teaches of the said security module (30) consisting of two components: a secondary (32) and primary module (36) wherein the mating of the two modules are done without the extension of wires outside of the casing. As disclosed in column 6 lines 3-16, the two modules are locked together and electrically connected by the means of electrical brush contacts, which reads on claim "wiring coupled to the said peripheral device is prevented from extending outside the case".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Khawam (U.S. Patent Number 6,678,612 B1) to include Denekamp et al. (U.S. Patent Number 4,750,197) in order to prevent the exposure of wires or the like from extending outside of the said module to decrease the risk of unwanted tampering and the exposure of the said wiring to the environmental elements which, in turn, may cause corrosion.

Regarding **claims 10 and 24**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, Khawam teaches of an

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emergency notification system, wherein a sensor is a shock sensor used to detect vehicle conditions and generating a signal, which is electronically transmitted to the processing unit. See column 2 lines 27-32.

Regarding **claim 15**, Khawam discloses an emergency informing system comprising:

- a vehicle mounted mobile transceiver unit (see FIGURE 1, column 3 lines 14-16, 27-37), and
- in column 1 lines 45-58, an emergency notification system, which reads on claimed "emergency informing terminal", where the system is comprised of a vehicle mounted mobile transceiver unit (see FIGURE 1 column 3 lines 27-37). The said emergency notification system is used in traumatic events by notifying an emergency station (fixed monitoring station, see FIGURE 2)

wherein, the said emergency notification terminal includes:

- a mounted mobile transceiver unit (see FIGURE 1, column 3 lines 14-16, 27-37), and
- a user interface unit (46), connected to the said mobile transceiver unit and incorporated in part of the said mobile transceiver unit. See column 2 lines 10-18.

However, Khawam fails to clearly disclose wherein the terminal main body, as cited by the Applicant, is in a case and where the wiring coupled to the said peripheral device is prevented from extending outside the case.

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Denekamp et al. discloses in column 5 lines 55-66 and in FIGURE 4, wherein a security module (30) is contained within a tamperproof and fireproof module, which reads on claim "case". Additionally, Denekamp et al. teaches of a said security module (30) consisting of two components: a secondary (32) and primary module (36) wherein the mating of the two modules are done without the extension of wires outside of the casing. As disclosed in column 6 lines 3-16, the two modules are locked together and electrically connected by means of electrical brush contacts, which reads on claim "wiring coupled to the said peripheral device is prevented from extending outside the case".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Khawam (U.S. Patent Number 6,678,612 B1) to include Denekamp et al. (U.S. Patent Number 4,750,197) in order to prevent the exposure of wires or the like from extending outside of the said module to decrease the risk of unwanted tampering and the exposure of the said wiring to the environmental elements which, in turn, may cause corrosion.

2. **Claims 2-9, 12, 16-23, and 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) in view of Diaz et al (U.S. Patent Number 6,675,006 B1).

Regarding **claims 2 and 16**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are

made, the combination according to **claims 1 and 15**, fails to disclose wherein a microphone used in a hands-free operation.

Diaz teaches in column 5 line 11, of a hands-free microphone (53d) for acquiring the transmission of a voice signal in a hands-free operation.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide an emergency notification system capable of allowing the distressed user the ability to utilize a hands-free functionality.

Regarding **claims 3 and 17**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to disclose a speaker used in a hands-free operation.

Diaz et al teaches in column 5 line 8, of an external speaker, which reads on claimed "speaker", for sounding a communication to and from the response center. In addition, Diaz et al further teaches, in column 1 lines 65-67, that the combination of the cellular antenna, cellular transceiver, hands-free microphone, and external speaker, constitutes a mobile telephone; therefore, it is obvious and well known in the art that a speaker used in combination with a hands-free microphone has the identical functionality a its counterpart.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide an emergency notification system capable of allowing the distressed user the ability receive voice signal for a hands-free conversation.

Regarding **claims 4 and 18**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to disclose a process where both data and voice communication are transmitted between the said emergency notification terminal and the said response center.

Diaz et al teaches in columns 3 and 6 lines 41-45 lines 1-7, respectively, of a cellular antenna, which reads on claimed "communication antenna", for transmission of image and voice information, which reads on claimed "data and conversation communication", between the said emergency notification system and the response center.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide an emergency notification system capable of sending and receiving voice and data communication signals via a coupled cellular antenna.

Regarding **claims 5 and 19**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1), Denekamp et al. (U.S. Patent Number 4,750,197) and Diaz et al (U.S. Patent Number 6,675,006 B1) are made, the combination according to **claims 4 and 18**, further include, as taught by Diaz in FIGURE 1 column 5 lines 10,14-15, a cellular antenna (53b) coupled to cellular transceiver (53a-1), capable of receiving and transmitting information, which reads on claimed "primary antenna used in a transmission and reception process".

Regarding **claims 6 and 20**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1), Denekamp et al. (U.S. Patent Number 4,750,197) and Diaz et al (U.S. Patent Number 6,675,006 B1) are made, the combination according to **claims 4 and 18**, further include, as taught by Diaz in FIGURE 1 column 5 lines 11, 16, a GPS antenna (53c) coupled to a GPS receiver (53a-2), which reads on claimed "secondary antenna used in reception process", capable of receiving location information from a satellite.

Regarding **claims 7 and 21**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to disclose a lighting device used to indicate to the user the operating condition of the said emergency notification system.

Diaz et al teaches in FIGURE 1 column 4 lines 55-65, of a Light Emitting Diode (LED, 51e), which reads on claimed "lighting device, display or indicator", for transmitting and operating state of the said emergency notification system (May-Day System) informing the user.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide an emergency notification system capable having an incorporated emergency informing mechanism to indicate to a said distressed used the communication conditions of the said emergency notification system.

Regarding **claims 8 and 22**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to disclose an emergency-informing button operable to start the emergency informing process by being depressed by the said distressed user.

Diaz teaches in column 5 lines 27-33, 42-51, of a panic button (53g) and a communication button (53f), which reads on claimed "emergency informing button", to start an emergency informing process as being pressed by the said user.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to Khawam (U.S. Patent Number 6,678,612

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B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide an emergency notification system outfitted with a said panic button accessible to the said distressed user to activate the emergency informing process when the button is depressed.

Regarding **claims 9 and 23**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to disclose where the said peripheral device is a dial-operating unit capable of allowing the user to dial a desired number.

Diaz et al in columns 1 and 6 lines 23-33 lines 1-14, respectively, a cellular transceiver (53a-1) operable to make a call to a desired telephone number.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide an emergency notification system outfitted a dial capability to allow the distressed user the capability to call a desired number for notification to the distressed situation.

Regarding **claims 12 and 26**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to disclose where the

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said peripheral device is a GPS antenna for acquiring a signal from a GPS satellite.

Diaz teaches in column 5 lines 11, 16, of a GPS antenna (53c) coupled to a GPS receiver (53a-2), capable of receiving location information from a GPS satellite.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Diaz et al (U.S. Patent Number 6,675,006 B1) in order to provide a GPS antenna (53c) coupled to a GPS receiver (53a-2) to acquire position information from a satellite for transmission to the said response center to dictate that exact location of the distressed user.

3. ***Claims 11 and 25*** are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) in view of Villevieille (U.S. Patent Number 5,953,650).

Regarding ***claims 11 and 25***, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to ***claims 1 and 15***, fails to expressly disclose, as part of the said emergency notification terminal, an air pressure sensor for generating a signal showing an air pressure change.

Villevieille teaches in column 2 lines 29-34, of a sensor used to indicate an emergency condition such as a tire pressure sensor, which reads on claimed "air pressure sensor", indicating a flat tire.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Villevieille (U.S. Patent Number 5,953,650) in order provide a tire pressure sensor in order to detect the pressure change of the distressed vehicle.

4. **Claims 13 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) in view Abo et al (U.S. Patent Number 5,948,041).

Regarding **claims 13 and 27**, as the combination of Khawam (U.S. Patent Number 6,678,612 B1) and Denekamp et al. (U.S. Patent Number 4,750,197) are made, the combination according to **claims 1 and 15**, fails to expressly disclose, as part of the said emergency notification terminal, a gyro sensor. Khawam does disclose a sensor to detect the attitude of the said distressed vehicle.

Abo et al teaches in column 3 lines 40-45, of a gyro sensor used to measure the orientation (attitude), coordinates and position along with the GPS system.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Khawam (U.S. Patent Number 6,678,612

B1) and Denekamp et al. (U.S. Patent Number 4,750,197) to include Abo et al (U.S. Patent Number 5,948,041) in order provide a gyro sensor to measure the orientation (attitude), coordinates and position of the said distressed vehicle in order to notify the said response system of whether the said distressed vehicle is over-turned, crashed or etc.

5. **Claims 14 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Khawam (U.S. Patent Number 6,678,612 B1), Denekamp et al. (U.S. Patent Number 4,750,197) and Diaz et al (U.S. Patent Number 6,675,006 B1) to further include Villevieille (U.S. Patent Number 5,953,650).

Regarding **claims 14 and 28**, the combination of Khawam (U.S. Patent Number 6,678,612 B1), Denekamp et al. (U.S. Patent Number 4,750,197) and Diaz et al (U.S. Patent Number 6,675,006 B1) fails to expressly disclose, as part of the said emergency notification terminal, an air pressure sensor for generating a signal showing an air pressure change. Nevertheless, Diaz et al does disclose the fact that the type of utilized sensors are not limited to; yet, may included other suitable sensors for the disposed embodiment.

Villevieille teaches in column 2 lines 29-34, of a sensor used to indicate an emergency condition such as a tire pressure sensor, which reads on claimed "air pressure sensor", indicating a flat tire.

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Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Khawam (U.S. Patent Number 6,678,612 B1), Denekamp et al. (U.S. Patent Number 4,750,197) and Diaz et al (U.S. Patent Number 6,675,006 B1) to further include Villevieille (U.S. Patent Number 5,953,650) in order provide a tire pressure sensor in order to detect the pressure change of the distressed vehicle.

Response to Arguments

Applicant's arguments with respect to ***claims 1-28*** have been considered but are moot in view of the new ground(s) of rejection.

The Applicant respectfully amends ***claims 1, 14-15 and 28*** to clearly define the following:

- i.) a terminal main body in a case
- ii.) wherein wiring coupled to the said peripheral device is prevented from extending outside the said case.

The respected amendment/s does not over come the new ground of rejection, 35 USC 103(a), where Denekamp et al clearly discloses in column 5 lines 55-66 and in FIGURE 4, wherein a security module (30) in contained within a tamperproof and fireproof module, which reads on claim "case". Additionally, Denekamp et al. teaches of a said security module (30) consisting of two components: a secondary (32) and primary module (36) wherein the mating of the two modules are done without the extension of wires outside of the casing.

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As disclosed in column 6 lines 3-16, the two modules are locked together and electrically connected by the means of electrical brush contacts, which reads on claim "wiring coupled to the said peripheral device is prevented from extending outside the case".

Therefore, the Examiner concludes that the Applicant's amended claim language does not over-come the newly presented ground of rejection and is moot. Additionally, **claims 2-13 and 16-27** stand rejected based on the dependency of the amended claims of **claims 1, 14-15 and 28**.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (703) 305-8993. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches
August 16, 2004

Nguyen Vo
8-20-04

NGUYEN T. VO
PRIMARY EXAMINER